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*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

1           **PLEASE TAKE NOTICE** that Plaintiff's Motion to Stay Proceedings previously set for  
2 July 25, 2008 has been continued to August 15, 2008 at 9:00 a.m. before the Honorable Ronald M.  
3 Whyte, in courtroom 6 of the United States District Court, Northern District located at 280 South  
4 First Street, San Jose California. See the Clerk's notice attached hereto for further information.

5

6 July 11, 2008

/S/

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40          *Attorneys for Plaintiffs*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SIDNEY SCHOLL, et al.,

**Plaintiff,**

V.

**WASHINGTON MUTUAL BANK, et al.,**

**Defendant.**

\*E-FILED - 7/8/08\*

CASE NO.: C-08-00868-RMW

## **CLERK'S NOTICE OF CONTINUANCE**

**NEW DATE: AUGUST 15, 2008**

**TIME: 9:00 AM**

PLEASE TAKE NOTICE that, on the court's own motion, **PLAINTIFF'S MOTION TO PROCEEDINGS**, noticed for July 25, 2008 has been continued to the date and time set forth below:

The parties are to appear before the Honorable Ronald M. Whyte in courtroom #6, 4th floor of the U.S. Courthouse, 280 South First Street, San Jose, California, unless notified that the matter will be submitted without argument.

If any hearing date is moved by the court's own motion, papers must still be filed in accordance with the originally noticed date and the Local Rules of this court absent a court order setting a new briefing schedule.

The moving party shall give written notice to counsel for all parties of the new date of the hearing after receipt of this notice. Following service, the moving party shall file a certificate of service with the Clerk of the Court.

DATED: July 8, 2008

BY: /s/ Jackie Garcia  
JACKIE GARCIA  
Courtroom Deputy for  
Honorable Ronald M. Whyte

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14 | Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

19 SIDNEY SCHOLL and FELTON A. ) CASE NO.: C-08-00868 (RMW)  
SPEARS, JR., on behalf of themselves and )  
all others similarly situated, ) CLASS ACTION  
Plaintiffs, )  
v. ) PROOF OF SERVICE RE: NOTICE OF  
WASHINGTON MUTUAL BANK, FA (aka ) CONTINUANCE OF PLAINTIFFS' MOTION  
WASHINGTON MUTUAL BANK); FIRST ) TO STAY PROCEEDINGS  
AMERICAN EAPPRAISEIT, a Delaware )  
corporation; and LENDER'S SERVICE, )  
INC., )  
Defendants. )

1 SCHOLL, et al. vs. WASHINGTON MUTUAL BANK, etc., et al.  
2 CASE NO. C-08-00868 (RMW)

3 **PROOF OF SERVICE**

4 I am over the age of eighteen years and not a party to the within action. My business  
5 address is 12400 Wilshire Boulevard, Suite 400, Los Angeles, CA 90025. I am employed at that  
6 address at the firm of Law Office of Janet Lindner Spielberg.

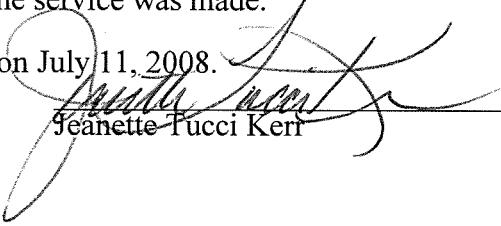
7 On the date set forth below I served the document(s) described as **NOTICE OF**  
8 **CONTINUANCE OF PLAINTIFFS' MOTION TO STAY PROCEEDINGS** on all the  
9 interested parties in this action, by placing: [ ] the original [xx] true copies thereof enclosed in  
10 sealed envelopes, addressed to the addresses last given by the respective addressees on any  
11 document filed in the above case and served on Law Offices of Janet Lindner Spielberg, as  
12 follows:

13 **SEE MAILING LIST ATTACHED**

14 [ X ] **BY MAIL:** I am readily familiar with this firm's practice of collection and processing  
15 correspondence for mailing with the United States Postal Service. On the date set forth  
16 below, at the firm of Janet Lindner Spielberg at the above address, I placed the  
17 envelope(s) containing said document(s), sealed, for collection and mailing on that date  
18 with the United States Postal Service following ordinary business practices. Under the  
19 above-mentioned practice of Law Offices of Janet Lindner Spielberg, the above  
20 document(s) would be deposited with the United States Postal Service on that same day  
21 in the ordinary course of business, with postage thereon fully prepaid at Los Angeles,  
22 California.

23 [ X ] **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this  
24 court at whose direction the service was made.

25 Executed at Tarzana, California, on July 11, 2008.

26   
27 Jeanette Tucci Kerr

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